

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 1035**  
94TH GENERAL ASSEMBLY

---

---

Reported from the Committee on Commerce, Energy and the Environment, February 28, 2008, with recommendation that the Senate Committee Substitute do pass.

4256S.03C

TERRY L. SPIELER, Secretary.

---

---

**AN ACT**

To amend chapter 407, RSMo, by adding thereto one new section relating to civil actions for unlawful merchandising practices.

---

---

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 407, RSMo, is amended by adding thereto one new  
2 section, to be known as section 407.015, to read as follows:

**407.015. Notwithstanding any other provision of law to the  
2 contrary, no person may bring a private civil action seeking monetary  
3 damages or other relief for an alleged violation of section 407.020  
4 against any licensed motor vehicle dealer with whom such person did  
5 not have a commercial relationship. For purposes of this section,  
6 "commercial relationship" shall mean a relationship between a person  
7 and a licensed motor vehicle dealer which thereby directly results in  
8 the retail sale or lease of a motor vehicle or other related merchandise  
9 from that motor vehicle dealer to the retail purchaser or lessee, but  
10 shall not include any motor vehicle dealer in the chain of commerce  
11 with whom the purchaser or lessee did not directly and personally  
12 negotiate or communicate. Nothing in this section shall prohibit a  
13 person from pursuing against a manufacturer or seller of a new or used  
14 motor vehicle any claim not arising under this chapter.**

✓